IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.7162 OF 2007

Jagjivan Narayan Shetty : Petitioner

V/s.

Mrs.Hemlata Vijay Shetty : Respondent

...

Mr.Shailendra S. Kanetkar for the petitioner.

Mr.K.Y.Mandlik for the respondent.

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CORAM : S.A.BOBDE, J.

DATE : OCTOBER 24, 2007.

P.C.

1. Rule, returnable forthwith.

Mr.Mandlik waives service for the respondent.

Heard by consent.

2. After hearing the matter for sometime, the following order is passed by consent:-

O R D E R

(i) Having regard to the fact that the reason for not depositing the arrears within the stipulated time by the Court is that the petitioner’s father was

ill and has also expired. The delay in depositing the arrears is hereby condoned. The impugned order is set aside. The appeal is directed to be heard on merits.

(ii) The appellate Court is directed to decide the appeal not later than 15.12.2007.

(iii) The rule is made absolute in the above terms.

S.A. BOBDE, J.